

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 797

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Burns, Conroy, Feldman, Fulton, Harrison, Impallaria, Kirk, Krebs, Krysiak, Love, Moe, Parrott, Trueschler, Vaughn, and Walkup”; in line 4, after “purposes;” insert “providing assistance for the retirement of certain arrearages for certain electric customers, subject to a certain limitation; authorizing the waiver of a certain income eligibility limitation for certain electric customers under certain circumstances;”; and in line 8, after “legislation;” insert “requiring the Office of Home Energy Programs to report certain information to the Commission; requiring the Office of Legislative Audits to perform certain audits of the universal service program at certain intervals; requiring the initial audit to be completed on or before a certain date;”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“(6) IN A SPECIFIC CASE, THE UNIVERSAL SERVICE PROGRAM MAY WAIVE THE INCOME ELIGIBILITY LIMITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ORDER TO PROVIDE ASSISTANCE TO AN ELECTRIC CUSTOMER WHO WOULD QUALIFY FOR A SIMILAR WAIVER UNDER THE MARYLAND ENERGY ASSISTANCE PROGRAM ESTABLISHED UNDER ARTICLE 41, § 6-406 OF THE CODE.”.

AMENDMENT NO. 3

On page 2, strike beginning with “that” in line 26 down through “date” in line 27 and substitute “FOR ELECTRIC CUSTOMERS WHO HAVE NOT PREVIOUSLY RECEIVED ASSISTANCE IN RETIRING ARREARAGES UNDER THE UNIVERSAL SERVICE PROGRAM, NOT TO EXCEED A TOTAL OF \$1.5 MILLION IN ANY GIVEN FISCAL YEAR.”.

On page 4, in line 9, strike “that were incurred prior to the initial implementation date by”

(Over)

and substitute “FOR”; and in line 10, strike “with annual incomes at or below 150% of the federal poverty level” and substitute “WHO HAVE NOT PREVIOUSLY RECEIVED ASSISTANCE IN RETIRING ARREARAGES UNDER THE UNIVERSAL SERVICE PROGRAM”.

AMENDMENT NO. 4

On page 3, in line 4, strike “(F)(5)(II)” and substitute “(F)(5)”; in line 16, after “(c)” insert “(1)”; and in lines 20, 23, 26, 28, 30, 32, and 33, strike “(1)”, “(I)”, “(II)”, “(III)”, “(IV)”, “(2)”, and “(i)”, respectively, and substitute “(I)”, “1.”, “2.”, “3.”, “4.”, “(II)”, and “1.”, respectively.

On page 4, in lines 1, 4, 8, 12, and 15, strike “(ii)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “2.”, “(III)”, “(IV)”, “(VI)”, and “(VII)”, respectively; after line 11, insert:

“(V) THE AMOUNT OF FUNDS NEEDED, AS DETERMINED BY THE COMMISSION, FOR BILL ASSISTANCE, LOW-INCOME WEATHERIZATION, AND ARREARAGE RETIREMENT, RESPECTIVELY, FOR CUSTOMERS FOR WHOM INCOME LIMITATIONS MAY BE WAIVED UNDER SUBSECTION (A)(6) OF THIS SECTION, AND THE BASIS FOR EACH DETERMINATION;”;

in line 14, strike “(1)” and substitute “(I)”; in the same line, strike “subsection” and substitute “PARAGRAPH”; and after line 16, insert:

“(2) (I) TO ASSIST THE COMMISSION IN PREPARING ITS RECOMMENDATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE OF HOME ENERGY PROGRAMS SHALL REPORT TO THE COMMISSION EACH YEAR ON:

1. THE NUMBER OF CUSTOMERS AND THE AMOUNT OF DISTRIBUTIONS MADE TO FUEL CUSTOMERS UNDER THE MARYLAND ENERGY ASSISTANCE PROGRAM ESTABLISHED UNDER ARTICLE 41, § 6-406 OF THE CODE, IDENTIFIED BY FUNDING SOURCE AND FUEL SOURCE; AND

2. THE COST OF OUTREACH AND EDUCATION MATERIALS PROVIDED BY THE OFFICE OF HOME ENERGY PROGRAMS FOR THE UNIVERSAL SERVICE PROGRAM.

(II) THE OFFICE OF HOME ENERGY PROGRAMS MAY SATISFY

THE REPORTING REQUIREMENT OF SUBPARAGRAPH (I)1 OF THIS PARAGRAPH BY PROVIDING THE COMMISSION WITH A COPY OF MATERIAL THAT CONTAINS THE REQUIRED INFORMATION AND THAT THE OFFICE OF HOME ENERGY PROGRAMS SUBMITS TO A UNIT OF THE FEDERAL GOVERNMENT.

(III) THE COMMISSION SHALL INCLUDE THE INFORMATION PROVIDED BY THE OFFICE OF HOME ENERGY PROGRAMS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN ITS REPORT TO THE GENERAL ASSEMBLY UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE OFFICE OF LEGISLATIVE AUDITS SHALL CONDUCT A PERFORMANCE AUDIT OF THE UNIVERSAL SERVICE PROGRAM AT LEAST ONCE EVERY 3 YEARS AND SHALL REPORT THE RESULTS OF THE AUDIT TO THE GENERAL ASSEMBLY.”.

On page 6, before line 8, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the initial performance audit of the electric universal service program under § 7-512.1(c)(3) of the Public Utility Companies Article, as enacted by this Act, shall be completed on or before January 7, 2004.”;

in lines 8 and 11, in each instance, strike “4” and substitute “5”; in line 8, strike “1 and 2” and substitute “1, 2, and 4”; and in line 10, strike “5” and substitute “6”.

AMENDMENT NO. 5

On page 5, in line 22, strike “END” and substitute “FIRST 3 MONTHS”; in line 25, strike “AND”; in line 27, after “YEAR” insert “; AND”

3. REMAIN ELIGIBLE FOR ASSISTANCE AT THE TIME SERVICES ARE PROVIDED.

(II) IF THE COMMISSION DETERMINES THAT AN EXTENSION IS NEEDED, THE COMMISSION MAY EXTEND UP TO AN ADDITIONAL 3 MONTHS THE

(Over)

PERIOD IN WHICH UNEXPENDED FUNDS MAY BE MADE AVAILABLE FOR DISBURSEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH”;

in line 28, strike “(II)” and substitute “(III)”; and in line 31, strike “NEXT FISCAL YEAR” and substitute “PERIOD ALLOWED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH”.

On page 6, in line 2, after “Article” insert “and § 7-512.1(f)(5) of the Public Utility Companies Article, as enacted by this Act”; in line 6, after “year” insert “2002 or”; in the same line, strike “and”; and in line 7, after “2003” insert “; and”

- (3) remain eligible for assistance at the time services are provided”.